

Message Text

CONFIDENTIAL

PAGE 01 OSLO 01286 01 OF 02 151731Z

44

ACTION DLOS-04

INFO OCT-01 EUR-12 IO-11 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ACDA-05 CG-00 COME-00 DOTE-00 EB-07 INT-05

OES-03 OFA-01 OMB-01 SAL-01 /097 W
----- 016722

R 151215Z MAR 76

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 1302

INFO AMEMBASSY BONN

USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY MOSCOW

USMISSION USUN NEW YORK

AMEMBASSY STOCKHOLM

C O N F I D E N T I A L SECTION 1 OF 2 OSLO 1286

USUN FOR LOS DELEGATION

E.9. 11652: GDS

TAGS: EFIS, PLOS, NO

SUBJ: NORWEGIAN PLANS FOR FISHING IN A 200-MILE FISHING
LIMIT

REF: OSLO 1040

IN PREPARATION FOR CONSULTATIONS WITH THE U.S. ON LOS AND
FISHERIES LIMITS, LOS MINISTER EVENSEN HAS PROVIDED IN STRICTEST
CONFIDENCE THE FOLLOWING "STANDARD" BILATERAL DRAFT
AGREEMENT ON FISHING BY OTHER COUNTRIES IN A 200-MILE NORWEGIAN
ECONOMIC ZONE. IT IS PROPOSED TO USE THE DRAFT AGREEMENT AS A BASIS
FOR BILATERAL NEGOTIATIONS WITH COUNTRIES WHICH HAVE ENGAGED IN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OSLO 01286 01 OF 02 151731Z

LONG STANDING FISHING OPERATIONS OFF THE NORWEGIAN COAST NORTH OF

62 DEGREES.

"AGREEMENT BETWEEN THE GOVERNMENT OF NORWAY AND THE GOVERNMENT OF ON FISHERIES.

"THE GOVERNMENT OF NORWAY AND THE GOVERNMENT OF;

"HAVING REGARD TO DEVELOPING STATE PRACTICE AND TO THE CONSENSUS EMERGING FROM THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, BASED ON COASTAL STATE RIGHTS OVER THE LIVING RESOURCES OF AN ECONOMIC ZONE OF 200 NAUTICAL MILES ADJACENT TO ITS TERRITORIAL SEA;

"HAVING REGARD TO THE DECLARED POLICY OF THE GOVERNMENT OF NORWAY TO ESTABLISH AN ECONOMIC ZONE, PURSUANT TO AND IN ACCORDANCE WITH RELEVANT PRINCIPLES OF INTERNATIONAL LAW, AND TO EXERCISE WITHIN THIS AREA SOVEREIGN RIGHTS FOR THE PURPOSE OF EXPLORING, EXPLOITING, CONSERVING AND MANAGING THE LIVING RESOURCES THEREOF;

"REAFFIRMING THEIR COMMON DESIRE TO ENSURE THE CONSERVATION OF THE FISH STOCKS OF THE WATERS OF THE AREA OF THE NORTH EAST ATLANTIC FISHERIES CONVENTION, AND TO MAINTAIN THE MOST RATIONAL MANAGEMENT AND EXPLOITATION OF THESE STOCKS;

"DESIROUS OF PROMOTING THE ORDERLY DEVELOPMENT OF THE LAW OF THE SEA, AND OF ESTABLISHING TERMS AND CONDITIONS FOR THE FISHERIES OF WITHIN THE NORWEGIAN ECONOMIC ZONE;

"HAVE AGREED AS FOLLOWS:

"ARTICLE 1

"FISHING VESSELS OF SHALL BE ADMITTED TO FISH WITHIN SPECIFIED AREAS OF THE NORWEGIAN ECONOMIC ZONE, NORTH OF THE PARALLEL OF 62 DEGREES NORTH LATITUDE, ON THE TERMS AND CONDITIONS SET OUT IN THE FOLLOWING;

"ARTICLE 2

"1. FISHERIES BY VESSELS OF PURSUANT TO ARTICLE 1 IN AN AREA BEYOND A DISTANCE OF 12 NAUTICAL MILES AND WITHIN A DISTANCE OF 50 NAUTICAL MILES FROM THE BASELINES FROM WHICH THE TERRITORIAL SEA IS MEASURED, SHALL BE DISCONTINUED ON 30 JUNE 1979.

"2. FISHERIES BY VESSELS OF PURSUANT TO ARTICLE 1 IN AREAS WITHIN THE NORWEGIAN ECONOMIC ZONE BEYOND A DISTANCE OF 50 NAUTICAL MILES FROM THOSE BASELINES SHALL BE DISCONTINUED ON 31 DECEMBER 1980.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 OSLO 01286 01 OF 02 151731Z

"ARTICLE 3

"THE SPECIFIED AREAS MENTIONED IN ARTICLE 1 ARE SET OUT IN THE ANNEX TO THIS AGREEMENT, WHICH SHALL CONSTITUTE AN INTEGRAL PART THEREOF.

"ARTICLE 4

"IN THE EXERCISE OF ITS SOVEREIGN RIGHTS IN RESPECT OF THE LIVING RESOURCES OF THE NORWEGIAN ECONOMIC ZONE, THE GOVERNMENT OF NORWAY MAY DETERMINE ANNUALLY THE CATCH

LIMITS IN RESPECT OF THE ECONOMIC ZONE FOR INDIVIDUAL STOCKS OR COMPLEXES OF STOCKS, TAKING INTO ACCOUNT THE INTERDEPENDENCE OF STOCKS, INTERNATIONALLY ACCEPTED CRITERIA AND OTHER RELEVANT FACTORS. THE GOVERNMENT OF NORWAY SHALL, AFTER APPROPRIATE CONSULTATIONS, DETERMINE AN ALLOTMENT FOR FISHING VESSELS OF OF SUCH STOCKS FOR WHICH SUCH CATCH LIMITS HAVE BEEN DETERMINED, TAKING INTO ACCOUNT THE OVER-ALL QUOTAS MADE AVAILABLE TO THROUGH INTERNATIONAL ARRANGEMENTS BINDING UPON BOTH PARTIES, AND OTHER RELEVANT FACTORS, AND ESTABLISH THE FISHING EFFORT WHICH CORRESPONDS TO THE SAID ALLOTMENT. THE ALLOTMENT FOR THE PERIOD ENDING ON 30 JUNE 1977 SHALL BE NOT LESS THAN (SPECIFICATION OF SPECIES AND TONNAGES). THE ALLOTMENTS FOR SUBSEQUENT YEARS MAY BE SUCCESSIVELY REDUCED.

"DETERMINATIONS ACCORDING TO THE PRECEDING PARAGRAPH SHALL BE SUBJECT TO ADJUSTMENT WHEN NECESSARY TO MEET UNFORESEEN CIRCUMSTANCES, IN PARTICULAR THE NEED FOR EMERGENCY CONSERVATION MEASURES BASED ON BEST AVAILABLE SCIENTIFIC EVIDENCE.

"ARTICLE 5

"FISHING VESSELS OF SHALL, WHEN FISHING WITHIN THE NORWEGIAN ECONOMIC ZONE IN ACCORDANCE WITH THIS AGREEMENT, COMPLY WITH THE CONSERVATION MEASURES AND OTHER TERMS AND CONDITIONS ESTABLISHED FOR SUCH FISHERIES, AND SHALL BE SUBJECT TO NORWEGIAN LAWS AND REGULATIONS IN RESPECT OF FISHERIES. SUCH LAWS AND REGULATIONS MAY RELATE TO, INTER ALIA, SUB-ZONES, RESERVED AREAS FOR PARTICULAR GEAR, TRAWLER-FREE ZONES, CLOSED SEASONS, EFFORT AND CATCH LIMITATIONS, THE SIZE, TYPE, EQUIPMENT AND OPERATIONS OF VESSELS AND GEAR, AS WELL AS ANY OTHER PROVISIONS RELATING TO THE GENERAL CONDUCT AND POLICING OF FISHERIES.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 OSLO 01286 01 OF 02 151731Z

"IN PARTICULAR, SUCH VESSELS SHALL DAILY ENTER RELEVANT DATA ON FISHING GROUND, FISHING EFFORT AND CATCH IN LOG-BOOKS WHICH SHALL AT ALL TIMES DURING PASSAGE IN THE NORWEGIAN ECONOMIC ZONE BE AVAILABLE FOR INSPECTION. EACH VESSEL SHALL REPORT BY RADIO UPON COMMENCEMENT OF FISHERIES WITHIN THE NORWEGIAN ECONOMIC ZONE, AND AT THE END OF EACH WEEK, FURNISH TO THE NORWEGIAN DIRECTORATE OF FISHERIES BY RADIO A DETAILED REPORT ON CATCH, FISHING TIME AND OTHER PERTINENT INFORMATION, INCLUDING PRESENT POSITION OF VESSEL AND FUTURE PROGRAMME FOR CATCH OPERATIONS, IN SUCH A MANNER AS MAY BE PRESCRIBED BY NORWEGIAN AUTHORITIES.

"(ANDRE SPESIFIKKE KRAV?)

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 OSLO 01286 02 OF 02 151529Z

44

ACTION DLOS-04

INFO OCT-01 EUR-12 IO-11 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ACDA-05 CG-00 COME-00 DOTE-00 EB-07 INT-05

OES-03 OFA-01 OMB-01 SAL-01 /097 W

----- 015124

R 151215Z MAR 76

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 1303

INFO AMEMBASSY BONN

USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY MOSCOW

USMISSION USUN NEW YORK

AMEMBASSY STOCKHOLM

C O N F I D E N T I A L SECTION 2 OF 2 OSLO 1286

USUN FOR LOS DELEGATION

"ARTICLE 6

"THE COMPETENT AUTHORITIES OF SHALL NOTIFY TO
THE COMPETENT AUTHORITIES OF NORWAY THE NAME, REGISTRATION
NUMBER, THE GEAR PROPOSED TO BE USED AND OTHER RELEVANT
PARTICULARS AND THE NAME OF THE MASTER OF ANY FISHING
VESSEL OF WHICH INTENDS TO FISH WITHIN THE
SPECIFIED AREAS SET OUT IN THE ANNEX. SUCH NOTIFICATION
SHALL ALSO BE GIVEN FOR ANY SUPPLY AND SUPPORT VESSELS
SPECIFICALLY ACCOMPANYING SUCH FISHING VESSELS.

"THE COMPETENT AUTHORITIES OF NORWAY SHALL ISSUE APPROPRIATE
LICENSES TO EACH FISHING VESSEL OF WHICH IS ADMITTED
TO SUCH FISHERIES.

"ARTICLE 7

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OSLO 01286 02 OF 02 151529Z

"1. THE GOVERNMENT OF NORWAY MAY TAKE WITHIN ITS ECONOMIC ZONE SUCH MEASURES, INCLUDING BOARDING, INSPECTION, ARREST AND JUDICIAL PROCEEDINGS, AS MAY BE NECESSARY TO ENSURE COMPLIANCE BY FISHING VESSELS OF WITH THE PROVISIONS OF THIS AGREEMENT AND AT APPLICABLE LAWS AND REGULATIONS IN ACCORDANCE WITH ARTICLE 5 ABOVE.

"2. IN CASES OF ARREST AND DETENTION OF A VESSEL OF BY THE AUTHORITIES OF NORWAY, NOTIFICATION SHALL BE GIVEN PROMPTLY THROUGH DIPLOMATIC CHANNELS, INFORMING THE GOVERNMENT OF OF THE ACTION TAKEN AND OF ANY PENALTIES SUBSEQUENTLY IMPOSED. ARRESTED VESSELS AND THEIR CREWS SHALL BE PROMPTLY RELEASED UPON THE POSTING OF REASONABLE BOND OR OTHER SECURITY. PENALTIES FOR VIOLATIONS OF FISHERIES REGULATIONS SHALL NOT INCLUDE IMPRISONMENT.

"ARTICLE 8

" THE GOVERNMENT OF SHALL TAKE MEASURES TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS AGREEMENT AND OTHER RELEVANT NORWEGIAN REGULATIONS BY ITS VESSELS.

"ARTICLE 9

" THE TWO PARTIES UNDERTAKE TO COOPERATE DIRECTLY AND THROUGH APPROPRIATE INTERNATIONAL ORGANIZATIONS TO ENSURE PROPER MANAGEMENT AND CONSERVATION OF THE LIVING RESOURCES OF THE SEA, IN PARTICULAR WITH REGARD TO STOCKS OCCURRING WITHIN THE AREA OF THE NORTH EAST ATLANTIC FISHERIES CONVENTION.

"ARTICLE 10

"THIS AGREEMENT IS SUBJECT TO RATIFICATION, AND THE EXCHANGE OF THE INSTRUMENTS OF RATIFICATION SHALL TAKE PLACE AT AS SOON AS POSSIBLE.

"THIS AGREEMENT SHALL HAVE PROVISIONAL EFFECT FROM ITS SIGNATURE OR FROM THE DATE OF THE ESTABLISHMENT OF A NORWEGIAN ECONOMIC ZONE, WHICHEVER IS THE LATER. IT SHALL ENTER INTO FORCE ON THE DATE OF THE EXCHANGE OF RATIFICATIONS. THIS AGREEMENT SHALL EXPIRE ON 31 DECEMBER 1980.

"DONE AT IN DUPLICATE, IN THE NORWEGIAN AND LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC."

BYRNE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976OSLO01286
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: N/A
Film Number: n/a
From: OSLO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760358/aaaabzni.tel
Line Count: 266
Locator: TEXT ON-LINE
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 OSLO 1040
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 31 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 MAR 2004 by MartinML>; APPROVED <01 APR 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NORWEGIAN PLANS FOR FISHING IN A 200-MILE FISHING LIMIT
TAGS: EFIS, PLOS, NO
To: SECSTATE WASHDC BONN EC BRUSSELS COPENHAGEN LISBON LONDON MADRID MOSCOW
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006